

SOCIAL SECURITY ADMINISTRATION

WORK INCENTIVES ASSISTANCE PROGRAM: Grants to State Protection and Advocacy Systems to Provide Protection and Advocacy Services to Social Security Beneficiaries with Disabilities; Program Announcement No. SSA-OESP-01-1.

AGENCY: Social Security Administration

ACTION: Request for Applications.

SUMMARY: The Social Security Administration (SSA) announces that it is requesting applications for potential grant awards to the protection and advocacy systems established pursuant to part C of Title I of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041, et seq.). The purpose of this program is to assist individuals with disabilities who receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits obtain information and advice about receiving vocational rehabilitation and employment services. The purpose is also to provide advocacy or other services that beneficiaries with a disability may need to secure or regain gainful employment.

The authority for these grants is found in section 1150 of the Social Security Act, as added by section 122 of Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999.

CLOSING DATE: The closing date for receipt of grant applications under this announcement is February 26, 2001.

FOR FURTHER INFORMATION CONTACT: Send questions about this announcement to the following Internet email address: TTWWIIA@ssa.gov. When sending in a question, reference program announcement number SSA OESP-01-1 and the date of this announcement. Questions will not be answered individually; however, all questions and answers will be

Natalie Funk, Team Leader, Social Security Administration, Office of Employment Support Programs, Division of Employment Policy, 107 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. The telephone number for Jennifer DeBoy is (410) 965-8658; for Natalie Funk, (410) 965-0078. The fax number is (410) 966-1278.

To obtain an application kit, see the instructions under Section IV, Part A. Although the Internet is SSA's preferred method of communication, for information regarding the application package you may also contact: Phyllis Y. Smith, Dave Allshouse, or Gary Stammer, Social Security Administration, Office of Acquisition and Grants, Grants Management Team, 1-E-4 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, Maryland 21207-5279. The telephone numbers are: Phyllis Y. Smith, (410) 965-9518, Dave Allshouse, (410) 965-9262, or Gary Stammer, (410) 965-9501. The fax numbers are (410) 966-9310 or (410) 966-1261.

DATE OF ISSUANCE: January 26, 2001

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Section I. Overview

A. Purpose. Title XI, Part A, Section 1150 of the Social Security Act, State Grants for Work Incentives Assistance to Disabled Beneficiaries, authorizes the Commissioner to make payments in each State to the protection and advocacy (P&A) system for the purpose of providing services to disabled beneficiaries who want to work. These grants may be awarded to the P&A system in each of the fifty States as well as the District of Columbia, Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the P&A system for Native Americans.

The Social Security Administration plans to award grants to eligible P&A systems to provide:

Assistance and Bill of Rights Act (42 U.S.C. 6041, *et seq.*) which submits a timely application conforming to the requirements in this notice will be eligible to receive an award.

Note: If a P&A system has received or will receive a cooperative agreement to provide benefits planning, assistance, and outreach (BPAO) under section 1149 of the Social Security Act, it must fully explain how it will ensure there will be no conflict of interest between delivering protection and advocacy services to beneficiaries and providing the services covered under the BPAO cooperative agreement. In particular, the P&A system must show how it will ensure full protection and advocacy services when the complaint is against a Benefits Specialist connected with the P&A system or against the P&A system itself. Also, any P&A system that will apply to be an employment network under SSA's Ticket to Work and Self-Sufficiency Program must fully explain how it will ensure there will be no conflict of interest if it receives a P&A grant. This is especially important with regard to assisting beneficiaries with PASS plans or other work incentives which will enable them to keep receiving benefits, thus delaying, or preventing entirely, payments to the employment network. It is imperative that the P&A system develop strict policies and procedures to avoid actual or apparent conflict of interest involving clients with respect to resolution of complaints against its own employees.

C. Period of Support. A grant application under this announcement shall be considered a request for an award for fiscal year 2001. SSA will make awards when and if funding becomes available. If and when money is appropriated, those funds will be available for obligation to a P&A system through November 30, 2001. Annual awards will be contingent upon the availability of appropriated funds.

Section II. Program Description

A. Target Population. Grants awarded under Section 1150

These objectives are accomplished through formula grant awards to eligible P&A systems to support the costs of development, expansion, technical assistance, training, and program implementation activities focused on rights protection and advocacy for beneficiaries with disabilities.

C. Program Priorities. Services in priority order follow:

- Provide assistance and individual representation to Social Security beneficiaries with disabilities who are seeking vocational rehabilitation services, employment services and other support services from employment networks and other service providers. Such assistance and representation may include individual advocacy services and various forms of alternative dispute resolution, as well as investigating, negotiating, or mediating solutions to issues that arise in developing, implementing, and amending a beneficiary's individual work plan under the Ticket to Work and Self-Sufficiency program under section 1148 of the Social Security Act. Investigate and review any complaint of improper or inadequate services provided to a beneficiary with a disability by a service provider, employer or other entity involved in the beneficiary's return to work effort.
- Provide consultation to and legal representation on behalf of beneficiaries with disabilities when such services become necessary to protect the rights of such beneficiaries. To the extent possible, alternative dispute resolution procedures should be used.
- Provide information and referral to Social Security beneficiaries with disabilities about work incentives and employment, including information on the types of services and assistance that may be available to assist them in securing or regaining gainful employment, particularly services and assistance available through employment networks under the Ticket to Work and Self-Sufficiency Program. Provide information and technical

and other concerns related to the Ticket to Work and Self-Sufficiency program.

Section III. Protection and Advocacy System Requirements

A. Assurances. An eligible P&A system established under the Act to protect the rights of disabled beneficiaries must submit assurances that attest to the following requirements: legal authority; independent status; a grievance procedure for clients or prospective clients, access to facilities and records and other requirements as set forth in Part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041-6043).

B. Quarterly Reports. Each P&A system receiving an award under this notice shall submit quarterly progress reports to SSA, Office of Acquisition and Grants (OAG). Reports shall provide: a status of the project, any problems or proposed changes in the project, data/program statistics (e.g. services provided to beneficiaries, number of individuals served, types of disabilities represented, issues being addressed), actions that were taken, planned actions, and a description of how the project is addressing the needs of individuals with disabilities from diverse ethnic and racial communities. The quarterly reports shall be submitted to SSA, OAG, within 30 days after the end of the quarter.

Each P&A system will develop and submit quarterly financial reports to SSA, OAG using Financial Status Report, form SF-269a.

C. Annual Report. In fiscal years 2001 through 2004, each P&A system which has received an award shall prepare and submit a program performance report (PPR) for submittal to the Commissioner and the Ticket to Work and Work Incentives Advisory Panel established under section 101(f) of Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999. This report shall be on the

Section IV. Instructions for Submitting Application

A. Availability of Forms. An application kit containing all of the prescribed forms and instructions needed to apply for a grant under this announcement may be obtained at the following Internet address: www.ssa.gov/oag/grants.

Although the Internet is the preferred method of making application kits available, an application kit also may be obtained by writing to: Grants Management Team, Office of Operations Contracts and Grants, OAG, Social Security Administration, 1-E-4 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, MD 21207-5279; or call Phyllis Y. Smith (410) 965-9518, David Allshouse, (410) 965-9262, or Gary Stammer, (410) 965-9501. The fax numbers are (410) 966-9310 or 966-1261.

Requests submitted by mail should include two return address labels. Also, please provide the name, title and telephone number of an individual to contact, and the organization's name, street address, city, State and zip code.

To ensure receipt of the proper kit, please include program announcement number SSA-OESP-01-1 and the date of this announcement.

B. Checklist for a Complete Application. The checklist below is a guide to ensure that the application package has been properly prepared.

- An original, signed and dated application plus at least two copies. Four additional copies are optional but will expedite processing.
- The program narrative portion of the application (Part III of the SSA-96-BK) may not exceed twenty double-spaced pages (or ten single-spaced pages) on one side of the paper only, using standard (8½" X 11") size paper. Attachments that support the program narrative

- A complete application consists of the following items in this order:
 - (1) Part I (Face page) - Application for Federal Assistance (SF 424, REV 4-88);
 - (2) Table of Contents;
 - (3) Project Summary (not to exceed one page);
 - (4) Part II - Budget Information, Sections A through G (form SSA-96-BK);
 - (5) Budget Justification (explain how amounts were computed), including subcontract organization budgets;
 - (6) Part III - Application Narrative and Appendices;
 - (7) Part IV - Assurances;
 - (8) Certifications - regarding Lobbying and regarding Drug-Free Workplace; and
 - (9) Form SSA-3966-PC - card acknowledging receipt of application (applicant's return address must be inserted on the reverse, franked portion of the card).

C. Guidelines for Application Submission. All applications for grant projects under this announcement must be submitted on the standard forms provided in the application kit. The application shall be executed by an individual authorized to act for the applicant organization and to assume for the applicant organization the obligations imposed by the terms and conditions of the grant award.

Applications must be mailed or hand-delivered to: Grants Management Team, Office of Operations Contracts and Grants, OAG, DCFAM, Social Security Administration, Attention: SSA-OESP-01-1, 1-E-4 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, MD 21207-5279.

Applications are due by close of business on February 26, 2001. Failure to submit the application in a timely manner will delay processing of the application and issuance of

The regulatory requirements that govern the administration of SSA awards are in the Code of Federal Regulations, Title 45, Parts 74 and 92. Applicants are urged to review the requirements in the applicable regulations.

E. Paperwork Reduction Act.

This notice contains reporting requirements. However, the information is collected using form SSA-96-BK, Federal Assistance Application, which has the Office of Management and Budget clearance number 0960-0184.

Section V. Special Consideration Requirements

A. Population Inclusion. SSA expects applicants to provide P&A services to any individual with a disability who receives SSDI or SSI benefits. Applicants cannot deny services to eligible persons for any reason.

B. The President's Welfare-to-Work Initiative. This initiative was published in the Federal Register on May 16, 1997. This initiative is designed to facilitate and encourage grantees and their subcontractors to hire welfare recipients and to provide additional training and/or mentoring as needed. The text of the notice is available electronically at www.whitehouse.gov/OMB/fedreg/omb-not.html.

C. Consumer Bill of Rights and Responsibilities. Where applicable, eligible P&A systems are encouraged to follow the Consumer Bill of Rights and Responsibilities as developed by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry. Applicants may obtain a free copy of the Commission's Final report "Quality First: Better Health Care for All Americans" (ISBN 0-16-049533-4) by calling (800) 358-9295.

D. Government Performance Monitoring. The Government Performance and Results Act (GPRA) was enacted in 1992 to

E. Limitation on Use of Grant Funds. Grant awards are to support and enhance eligible State systems. SSA requires certification that Federal funds will not be used to supplant current funding of existing resources and programs already budgeted for State protection and advocacy activities.

F. Knowledge Transfer. It is SSA policy to make the results and accomplishments of its funding activities available to the public. Therefore, eligible P&A systems are also encouraged to make the results and accomplishments of their programs and activities available to the public through media such as publications and audio-visuals that include informational products and performance data. An SSA review is required before the results of a P&A system activity can be published. P&A systems must place an acknowledgment of support and provide a disclaimer on all publications that report the results of, or describe, an SSA funded activity. These publications will include the following information: an acknowledgment of SSA support, such as, "This publication was made possible by a grant from the Social Security Administration"; and a disclaimer, such as, "The contents of this publication are the sole responsibility of the authors and do not represent the official views of the Social Security Administration."

Pursuant to Title 45 CFR Parts 74.36 and 92.34, any copyrighted or copyrightable works developed under a grant award shall be subject to a royalty-free, nonexclusive, and irrevocable license to the government to reproduce, publish, or otherwise use them and to authorize others to do so for Federal government purposes.

Prior written approval must be obtained from SSA when a P&A system proposes to expend \$25,000 or more of grant funds to develop audio-visual, publication or broadcast materials that will be used to educate, persuade, and/or inform the public. The written request for prior approval shall be

authorized to charge a user fee equal to the additional cost of obtaining the information.

Section VI. Terms and Conditions of Support Requirements

A. Technical Assistance and Training Costs. Costs for a P&A system's technical assistance and information and referral activities, which include travel expenses for staff, and reimbursement for members of the governing board or advisory council, shall not exceed 10 percent of the grant awarded in a fiscal year. SSA has contracted with three universities to provide technical assistance and training on SSA programs and work incentives, Medicare and Medicaid, and on other Federal work incentives. P&A staff assigned to the grant will be required to attend one of those contractors' 5-day training sessions within 90 days of award. Applicants should budget for those travel expenses. P&A systems cannot contract for additional training without SSA approval. The universities are: Cornell University, Ithaca, New York for SSA Regions I, II and V; Virginia Commonwealth University (VCU), Richmond, Virginia for SSA Regions III, IV, VI and IX; and University of Missouri, Columbia (UMO-C) at Columbia, Missouri for SSA Regions VII, VIII and X. Please see appendix 2 for specific contact information for each State and territory.

SSA has also contracted with the National Association of Protection and Advocacy Systems to provide technical assistance and ongoing guidance to the P&A systems.

Note: See the application kit for a complete distribution and details of items B-J below.

B. Program Income. No P&A system grantee may profit from any SSA grant. All payments made under this grant award must be accounted for in accordance with 45 CFR part 74.24 as applicable, and must be reported on the Financial Status Report, Standard Form 269 (long form). Program income shall be used to further grant objectives and shall only be used for allowable costs as set forth in the applicable OMB

Assistance and Bill of Rights Act, the newly designated State P&A system has 30 days in which to submit an application, assurances, certifications etc., which will be reviewed by SSA before a grant is awarded.

D. Fiscal/Grant Requirements. The grant is subject to SSA requirements concerning the administration of grants, as set forth in 45 CFR part 74 and part 92. A final Financial Status Report (FSR), SF 269a, shall be submitted quarterly to the Grants Management Officer within 90 days after the end of the budget period. All eligible P&A systems must complete and submit an application package in each fiscal year.

Grant funds may be used only for reasonable expenses clearly allocated to and necessary for carrying out approved system activities, including both direct and indirect costs. In order to recover the allowable indirect costs of a project, it may be necessary to negotiate and establish an indirect cost rate (unless such a rate has already been established for the applicant organization). For information and assistance regarding the timing and submission of an indirect cost rate proposal, applicants should contact SSA.

Grantees are also required to comply with the audit requirements as specified in 45 CFR parts 74.26 and 92.26, as appropriate.

E. Allowable Expenditures. Subject to applicable cost principles, allowable expenditures for which grant support may be requested include: (1) Salaries, wages, and fringe benefits of professional and other supporting staff engaged in the project activities; (2) Travel required for carrying out activities under the approved project; (3) Supplies, communications, and rental of equipment and space directly related to approved project activities; (4) Contracts for performance of activities under the approved project; (5) Other items necessary to support approved P&A program

be detailed and linked directly to program activities. Any lease arrangements in association with the proposed program activity that uses SSA grant monies may not be funded by SSA beyond the program period nor may any portion of the leased space be used for purposes not supported by the P&A program for SSA beneficiaries.

F. Alterations and Renovations. Costs for alterations and renovations will be allowable only where such alterations and renovations are necessary for the success of the P&A system. Prior approval from the SSA project officer.

G. Reporting Requirements. In order for SSA to meet its statutory requirements under GPRA, every eligible P&A system that engages in knowledge application activities will be required to use a standardized data collection format. This approach is designed to document the number and type of activities engaged in by the P&A system and to assess the percentage of activities that resulted in positive systemic changes within the State. The SSA project officer will provide information on the required data collection format to the grantees.

H. Accounting Records and Disclosure. P&A systems and their subcontractors must maintain records which adequately identify the source and application of funds provided for financially assisted program activities. These records must contain information pertaining to grants, subawards (i.e., subcontracts, subgrants) and authorizations, obligations, unobligated balances, assets, liabilities, expenditures and income. The P&A grantee, and all of its subcontractors, should expect that SSA, or its designees, may conduct a financial compliance audit and/or on-site program reviews.

I. Lobbying Prohibitions. No part of any grant funds shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or

legislation, or to urge those representatives to vote a particular way.

No part of any grant funds shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any "direct lobbying" activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

J. Breach of Terms and Conditions. A P&A system shall be considered in breach of the terms and conditions of a grant award for the following acts: (1) failure to submit an annual program performance report (PPR) in the designated format; (2) failure to submit the required annual reports by the statutory due date of January 1; (3) failure to satisfy any other requirements under the Act, CFR, or any other requisites. A breach of the terms and conditions shall require remedial action, which may include the following SSA actions: recommendation for suspension or termination of the grant; conversion to a reimbursement method of payment; and/or agency retention of grant payments.

Section VII. References

Frequently Used Acronyms:

- BPAO: Benefits Planning, Assistance, and Outreach
- FSR: Financial Status Report
- GPRA: Government Performance and Results Act
- OAG: Office of Acquisition and Grants
- P&A: Protection and Advocacy
- PPR: Program Performance Report
- SSA: Social Security Administration
- SSDI: Social Security Disability Insurance
- SSI: Supplemental Security Income

Application Receipt Schedule: Applications for grants shall

APPENDICES

APPENDIX 1

SPECIAL INSTRUCTIONS FOR COMPLETING PART III - PROGRAM NARRATIVE, FORM SSA-OESP-01-1 (Grants to State Protection and Advocacy Systems to Provide Protection and Advocacy Services to Social Security Beneficiaries with Disabilities, Work Incentives Assistance Program Announcement No. SSA-OESP-01-1)

Please use the following instructions to complete Part III, Program Narrative, of the application (Form SSA-96-BK) in lieu of the instructions provided on the form. Disregard the instructions for Part III that are provided on pages 3, 4 and 5 of Form SSA-96-BK.

In completing the program narrative, do not exceed 20 pages, typed double-spaced, or 10 pages, typed single-spaced. Attachments that are needed to support the program narrative count within the 20/10-page limit. Exceptions to the page limit are job descriptions, resumes, letters of intent/endorsement, and agreements with State and local public and private entities about the proposed project.

Do not prepare the program narrative in "compressed" type. Type on one side only of standard-size (8 1/2 x 11) white bond paper. Number each page consecutively at the bottom beginning with Page III-1.

Review of the program narrative will concentrate on the criteria listed in the Evaluation Criteria of the SSA announcement. Therefore, providing clear, wellorganized (according to guidelines below) information on how the project meets the evaluation criteria for this announcement will greatly facilitate the application review process. In addition, should the proposed project be funded, the information provided in the program narrative will form the basis for SSA to monitor the grant, evaluate progress, and plan for technical assistance.

V. Expected Outcomes

Complete each of the five major sections of the program narrative according to the following guidelines:

- I. Project Title, Summary and Objectives
 - A. Select a title that is both short and descriptive.
 - B. Provide a summary of the proposal, including the scope of the project.
 - C. Specify the goals and objectives of the project and discuss the relationship between the issues to be examined in the proposed project and the goals and objectives of the announcement, as discussed in the program description. It should be apparent that the applicant understands the goals and objective(s) of the announcement.
- II. Description and Importance of Project
 - A. Describe the P&A agency/entity's current system for providing protection and advocacy services to assist people with disabilities secure or regain gainful employment.
Include discussion of the appropriateness of the current case management and monitoring systems, management information system, and other systems.
 - B. Discuss how the agency will provide services specifically to SSI/SSDI beneficiaries.
 - C. Explain how the project will measure progress and achievements.
 - D. Describe the target population, including the number of project participants, you propose to serve.
 - E. Describe policies and procedures for handling complaints against the P&A system when it is serving as a BPAO cooperative agreement recipient or an employment network. State whether you have applied or will be applying for a BPAO cooperative agreement or to be an employment

- B. Describe staff qualifications. Include resumes and a short biographical sketch of the proposed Project Director and other key project staff, highlighting special qualifications that relate to the accomplishment of the project objectives, in areas such as education, experience and publications. For example, describe experience relating to P&A and return-to-work efforts for SSDI and SSI beneficiaries. For each of the key staff not identified at the time of application, provide (in lieu of a biographical sketch) a job description; location of the job, if it exists in another agency/entity; or qualifications sought and a projection of how long after notification of grant award the recruitment of staff will take.
- C. Describe the resources of the applicant agency to plan, coordinate, monitor, conduct and complete the program. Clearly link staff responsibilities to project tasks/activities, and evaluation requirements.
- D. Describe the specific involvement of personnel in other agencies on the proposed project, including: a description of their activities, estimated time schedule, their qualifications (unless addressed in B above), and written assurances that personnel are available and able to complete the work within time and budget constraints.

IV. Work Plan

- A. List and describe the tasks/activities that will be necessary to carry out the program, including the completion of the deliverables and evaluation requirements. Include milestones for tasks/activities.
- B. Specify the product(s) for each task/activity that can be provided to SSA as proof that the deliverable/requirement has been completed

tasks/activities needed to carry out the program, including status reports, briefings, training/retraining, exchanging information with other States, site visits, etc. As appropriate, describe the systems (e.g., case management) to be developed/used.

V. Expected Outcomes

- A. Estimate the benefits that will result from the proposed program to SSA and SSI/SSDI beneficiaries.
- B. Estimate the potential usefulness for the advancement of knowledge, if applicable.
- C. Provide data, either demographic or experience gained from similar projects, to support these estimates. Describe any special features of the target population (i.e., SSI/SSDI beneficiaries), and the operational environment in which the program will operate that would affect the anticipated outcomes.

APPENDIX 2

Regions I, II, and V:

(Connecticut, Illinois, Indiana, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Wisconsin, Puerto Rico, U.S. Virgin Islands)

Cornell University - Thomas P. Golden, tpg3@cornell.edu,
(607) 255-2731

Regions III, IV, VI, and IX:

(Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maryland, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, American Samoa, Commonwealth of the Northern Mariana Islands, District of Columbia, Guam, P&A system for Native Americans)

Virginia Commonwealth University (VCU) - Susan O'Mara,
(757) 412-2342; or Vicki Brooke, (804) 828-1873

Regions VII, VIII, and X:

(Alaska, Colorado, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming)

University of Missouri, Columbia (UMO-C) - C. David Roberts, robertsc@missouri.edu (program/project management), or Diana Beckley, beckleyd@missouri.edu (SSA/benefits planning technical knowledge): (573) 882-3807